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Message Text

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PAGE 01 TUNIS 03106 010830Z

73
ACTION L-03

INFO OCT-01 NEA-10 ISO-00 EB-07 COME-00 JUSE-00 CIAE-00

INR-07 NSAE-00 /028 W
---------- 000120
R 301555Z APR 76
FM AMEMBASSY TUNIS
TO SECSTATE WASHDC 2604

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E.O. 11652: N/A
TAGS: PGOV PFOR TS
SUBJECT: TUNISIAN LAWS ON QUESTIONABLE PAYMENTS

REF: STATE 94647

1. EMBASSY HAS SOUGHT ASSISTANCE OF RELIABLE TUNISIAN LEGAL SOURCE IN ORDER TO PROVIDE DEPARTMENT WITH PROFESSIONAL OPINION ON APPLICATION OF TUNISIAN LAWS CONCERNING QUESTIONABLE PAYMENTS. OUR SOURCE HAS NOT YET BEEN ABLE TO REPORT TO US SATISFACTORILY. IN ORDER TO PROVIDE THE DEPARTMENT WITH AN INTERIM REPLY TO REFTEL WE HAVE REVIEWED TUNISIAN PENAL AND COMMERCIAL CODES AND FOLLOWING ARE ANSWERS OO POINTS IN PARAGRAPH 2 OF REFTEL BASED ON OUR REVIEW:

A. YES

B. NO

C. NO

D. NO

E. NO

F. NO

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2. THE TUNISIAN PENAL CODE EXPLICITLY PROHIBITS ALL

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PUBLIC OFFICIALS FROM ACCEPTING ANY OFFER OR PROMISE
OF A GIFT FOR PERFORMING OR NOT PERFORMING NORMAL AND
PROPER FUNCTIONS. GIVING PAYMENTS OF ANY KIND TO
GOVERNMENT OFFICIAL S IS CLEARLY ILLEGAL AND THERE IS NO
SEPARATE REQUIREMENT FOR DISCLOSURE.

3. THERE IS ONLY ONE POLITICAL PARTY IN TUNISIA, THE
DESTOURIAN SOCIALIST PARTY (PSD), AND IT WILL RECEIVE CON-
TRIBUTIONS FROM INDIVISUALS AND COMPANIES. WE DO NOT KNOW
OF A REQUIREMENT FOR PUBLIC DISCLOSURE OF THESE PAYMENTS.

4. WE HAVE NOT BEEN ABLE TO LOCATE SPECIFIC LEGAL PROHIBITION
OF PAYMENT OF UNDISCLOSED COMMISSIONS TO INFLUENCE CORPORATE
DECISION-MAKING PROCESS.

5. WE WILL PROVIDE DEPARTMENT WITH MORE DETAILED AND
AUTHORITATIVE ANSWERS TO QUESTIONS RAISED REFTEL AS SOON
AS WE HAVE OBTAINED REPLY FROM COMPETENT TUNISIAN SOURCE.
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Message Attributes

Automatic Decaptioning: X
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Current Classification: UNCLASSIFIED
Concepts: LAW
Control Number: n/a
Copy: SINGLE
Draft Date: 30 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ElyME
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976TUNIS03106
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760167-0491
From: TUNIS
Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1976/newtext/t1976041/aaaaaalm.tel
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Original Classification: LIMITED OFFICIAL USE
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